IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

THURSDAY, THE 1ST MARCH 2007 / 10TH PHALGUNA 1928

Crl.Rev.Pet.No. 922 of 2007

CRA.922/2006 of SESSIONS COURT, ERNAKULAM
CC.971/2002 of JUDL.MAGISTRATE OF FIRST CLASS-II, KOCHI

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REVN. PETITIONER: APPELLANT/ACCUSED:

BABU THOMAS, AGED 67 YEARS,
S/O.THOMAS, THAIPARAMBIL HOUSE,
OLD RAILWAY STATON ROAD,
ERNAKULAM, KOCHI.

BY ADV. SRI.K.C.ELDHO

RESPONDENTS:

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1. SRI.PUNNOOSE KURIAN, S/O.PUNNOOSE,
VAZHAKALATHIL HOUSE, PALLURUTHY NADA,
NADAKAVU, KOCHI-6.

2. STATE OF KERALA, REP. BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR MR. BREEZE M.S.

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 01/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J.

CRL.R.P.NO.922 of 2007

DATED THIS THE 1st DAY OF MARCH 2007

ORDER

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for three months and to pay a compensation of Rs.65,000/- under Section 357(3)Cr.P.C. and in default to undergo simple imprisonment for a further period of three months. The revision petitioner has only sought for modification of the sentence and time to make the payment.

In the circumstances, the sentence is modified to imprisonment till the rising of the court and the remaining portion of the sentence is affirmed. The revision petitioner is granted four months time to make the payment of compensation. He shall appear before the Judicial Magistrate of First Class-II, Kochi on 30-6-2007 to receive sentence. Non-bailable warrant is not to be executed till then. The Crl.revision petition is disposed of accordingly.

K.R.UDAYABHANU, JUDGE

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